

APPROVED

TOWN OF WESTFORD

BOARD OF SELECTMEN

MINUTES

DATE: July 8, 2003

TIME: 7:30 P.M.

PLACE: J.V. Fletcher Library

PRESENT: Christopher Romeo, Robert Jefferies, Allan Loiselle,
Dini Healy-Coffin, James Silva

OTHERS

PRESENT: Steve Ledoux-Town Manager, Audience Members

Open Forum

Recognition of Arnold Wilder – Romeo presented Arnold Wilder with a plaque commemorating 52 years of service as an Election Officer and Election Warden in Precinct 1 for the Town of Westford.

Romeo announced that a Joint Boards Meeting will be held on Tuesday, July 15, 2003 at 7:30 p.m. at the request of the Master Plan Implementation Committee. The purpose of the meeting is to set direction as to where Westford is heading in the future, how the Master Plan applies today, whether the Master Plan needs to be revised, and the accomplishments of the various town boards, committees, and commissions.

Report on the 275th Anniversary Gala

Ken Tebbetts and Sarah Ledder, co-chairs of the 275th Anniversary Gala Committee, updated the Board on the plans for the anniversary gala. Tebbetts stated that the event will begin with a bell ringing on New Year's Eve to usher in the new year with events throughout the year. The finale will be on September 18, 2004. Ledder requested permission to use the town common from September 17 through September 19, 2004 for the finale. Ledder did not have

firm plans at this point but will update the Board in the coming months. Ledoux recommended that the committee coordinate with the Parks Department relative to power needs and tent locations on the common. **It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to approve the use of the Town Common for the 275th Anniversary Gala on September 17, 2004, September 18, 2004 and September 19, 2004.**

Ellen Harde to Discuss the Results of the All Boards Meeting on Route 225 Bypass Road

Ellen Harde, Town Moderator, was present to discuss the Selectmen's vote to endorse the concept of the Route 225 bypass road on June 24, 2003 and the May 10th Town Meeting action. Harde stated that she envisioned ongoing discussions with all the parties being involved. Harde stated that she asked to be on the Planning Board agenda in June to talk about how to have those discussions. Harde asked the Planning Board for a joint boards meeting with a roundtable discussion. Harde was surprised that the Selectmen's meeting included the joint boards meeting and that residents were not allowed to speak until 10:00 p.m. after which time the Selectmen took the position on the concept of the bypass road. Harde asked the Selectmen to rescind the vote taken on June 24th and get everyone together to make a recommendation to the Board. Romeo read the wording to the Resolution adopted by Town Meeting. Harde stated that she made the comment at Town Meeting that she was committed to everyone working together on the bypass road issue. Romeo pointed out that only the Resolution survived Town Meeting. Jefferies stated that the Planning Board does site plan approvals for commercial projects and the Selectmen lay out roads. Jefferies stated that the Westford Tech Park West project will have a huge impact with or without the bypass road. Jefferies noted that the traffic data shows Boston Road, Tyngsborough Road and Depot Street taking on the traffic burden. Jefferies stated that the bypass road is the Selectmen's decision and that the Selectmen took input on the bypass road issue. Romeo reported that he received a call from Peter Fletcher, Chairman of the Planning Board, requesting a joint boards meeting exclusively. Romeo informed Fletcher that the Selectmen had to conduct other business for approximately one hour before the joint boards meeting. Romeo stated that Silva has been attending the Planning Board meetings and has kept the Selectmen informed. Romeo stated that the joint boards meeting was advertised and announced at both the Selectmen and Planning Board meetings. Romeo stated that he has not received any complaints from residents saying that they did not have an opportunity to be heard at the June 24th meeting. Romeo stated that the meeting was held at the Westford Academy in anticipation of a large crowd. Romeo stated that he counted approximately 15 residents in attendance. Romeo stated that Loiselle brought the motion forward on the concept of the bypass road and that motion was unanimously approved. Jefferies stated that there will be a public hearing on the bypass road when the Selectmen layout the road. Jefferies clarified that the recent motion was to advance the concept to the next stage. Romeo pointed out that there have been many meetings regarding the bypass road since Town Meeting and that the Selectmen have considered a great deal of

information. Healy-Coffin stated that to say the bypass road is over and done with is not true. Healy-Coffin pointed out that the Selectmen set policy and that the Planning Board is in charge of planning. Healy-Coffin urged the residents to go to the Planning Board hearings and put their energy into working together with the Planning Board.

Healy-Coffin assured the residents that the Planning Board wants to try to incorporate creative ideas. Healy-Coffin stated that the project is not going away and that it will impact the whole town. Romeo asked if the Board wanted to make a motion to revoke the vote of June 24, 2003 with respect to the concept of bypass road. There was no motion from the Board. Loisel stated that he supported the decision of the Selectmen. Loisel stated that the vote was not rushing through the process. Loisel felt that the Board gave it a fair hearing and that the Planning Board needed to know the Selectmen's position. Silva stated that he has been attending the Planning Board meetings and that the vote to endorse the concept of the bypass road was the best overall decision. Silva stated that the Selectmen make tough policy decisions and that he stands by his decision. Linda Diamond, Trailside Way, stated that she called three of the Selectmen and left a message for Romeo to complain about the process. Diamond stated that she has also been attending the Planning Board meetings. Diamond felt that the Selectmen's vote on June 24th short-circuited the process and that the Board did not get additional data to look at alternatives. Diamond also felt that the developer does not need to address requests for more data. Romeo stated that he did not receive Diamond's message and apologized for not returning her call. Romeo did speak to Diamond's husband. Joe Diamond, Trailside Way, asked if the Selectmen needed a recommendation from the Planning Board. Jefferies stated that the Selectmen were expecting a recommendation from the Planning Board but did not get one. Mike Green, Vice Chairman of the Planning Board, stated that a recommendation would be forthcoming based upon additional information that the Planning Board should receive at their next meeting. The additional data will be in reference to the entrances. Green noted that it is difficult to separate the project and the bypass road. Green felt that the challenge for the Planning Board moving forward will be to look at the site plan inlaid with the bypass road.

Hiring Freeze Exemption Requests

Two Highway Equipment Operators – Richard Barrett, Highway Superintendent, requested waiving the hiring freeze for two highway equipment operator positions to fill a vacancy created by the promotion of an employee and to fill a vacancy created by an employee who was terminated. **It was moved by Jefferies, seconded by Healy-Coffin, and VOTED UNANIMOUSLY, to lift the hiring freeze for two Highway Equipment Operator positions.**

Library Associate – Ellen Rainville, Library Director, requested lifting the hiring freeze for Library Associate. This position represents circulation desk hours left empty when the Fine Arts Coordinator returned from maternity leave at a reduced schedule. **It was moved by Jefferies, seconded by Healy-Coffin,**

and VOTED UNANIMOUSLY, to lift the hiring freeze for the Library Associate position.

Administrative Assessor – Paul Plouffe, Principal Assessor, requested lifting the hiring freeze for an Administrative Assessor position. Plouffe reported that the Assistant Assessor gave her two week notice on July 7, 2003. **It was moved by Jefferies, seconded by Healy-Coffin, and VOTED UNANIMOUSLY, to lift the hiring freeze for the Administrative Assessor position.**

Re-appointments

Board of Appeals – David Earl – It was moved by Jefferies, seconded by Silva, and VOTED UNANIMOUSLY, to re-appoint David Earl to the Board of Appeals.

Historical Commission - Ken Tebbetts, Chairman, requested that Roberta McGuire be appointed as a permanent member to fill the vacancy of Deborahann Mayer. McGuire has been serving as an alternate member. **It was moved by Silva, seconded by Healy-Coffin, and VOTED UNANIMOUSLY, to appoint Roberta McGuire as a full member of the Historical Commission.** Tebbetts announced that the alternate position is now vacant.

Selectmen Representative to NMCOG – Position previously held by Loiselle. **It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to nominate Jim Silva as the Board's representative to NMCOG. It was moved by Healy-Coffin, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 OPPOSED (Jefferies), to nominate Bob Jefferies as the Board's alternate representative to NMCOG.**

Selectmen Representative to Stepinski Land Acquisition Committee – Silva reported that the Stony Brook Master Plan Committee will be making the appointments to this committee. **It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to nominate Jim Silva as the Board's representative to the Stepinski Land Acquisition Committee.**

Selectmen to Consider Creation of Permanent Town Building Committee

Ledoux stated that the concept of a Permanent Town Building Committee came from the Committee for Efficient Town Government. This committee would be similar to the Permanent School Building Committee to deal with town buildings, renovations, new construction, space utilization, design and selection. Ledoux referenced a draft charge for the committee. Ledoux questioned whether to combine the Permanent School Building Committee with the Permanent Town Building Committee. The Board suggested keeping the committees separate.

It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to create the Permanent Town Building Committee and adopt the charge provided by Ledoux. Ledoux to re-draft some of the terms of the charge.

Selectmen to Consider Creation of Town Report Committee

Ledoux stated that the creation of a Town Report Committee was based upon conceptual issues from discussions with the Town Clerk. Ledoux reported that the Town Clerk has prepared the Town Report in the past and that this committee would take the burden off the Town Clerk. **It was moved by Healy-Coffin, seconded by Loiselle, and**

VOTED UNANIMOUSLY, to create the Town Report Committee. Ledoux to draft a charge for the Board's review at a future meeting.

Results of Town Manager Performance Evaluation

Romeo referenced the list prepared by Chris Liebke, Human Resource Director, based upon the evaluations made by the Selectmen. The Board commended Ledoux on his outstanding work during the difficult budget process and his dedication and loyalty to the Town. **It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to give Ledoux a 2½% merit raise for FY03 retroactive to October 1, 2002.** Ledoux thanked the Board for their kind words and expressed his appreciation for a great team at Town Hall.

Licenses and Permits

Public Hearing – Transfer of Wine and Malt Package Store License from MOBGAS to MPG Corporation

– Romeo opened the public hearing. Ledoux reported that a satisfactory CORI report has been received. Peter Garrett, President of MPG Corporation, Kenneth Hawes, Manager, and Attorney Howard Hall, representing MOBGAS, were present. Garrett provided background information of MPG Corporation. Garrett indicated that the Greystone Market would be run in the same manner and that they will try to retain a majority of the employees. Hawes stated that he lives in Plymouth but has family in Billerica and may be looking to move back into the area. Romeo noted that the Articles of Organization for MPG Corporation do not mention the sale of alcohol. Hall stated that the Articles should read “retail sales” which covers everything. There was no public input. **It was moved by Jefferies, seconded by Loiselle, and VOTED UNANIMOUSLY, to close the public hearing. It was moved by Loiselle, seconded by Healy-Coffin, to approve the Transfer of the Wine and Malt Package Store License from MOBGAS to MPG Corporation.**

One Day License for “Tyler Ride” – Saturday, July 12, 2003, VFW West Prescott Street, 4:00 – 9:00 PM – It was moved by Loiselle, seconded by Jefferies, and VOTED UNANIMOUSLY, to approve.

One Day License, Wedding Reception, First Parish Hall, October 1, 2003 5:00 – 12:00 PM – It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to approve.

Franklin Property

No report at this time.

Brookside Mill

Ledoux reported that the contractor at the Brookside Mill removed the gate on the dam to lower the water level in order to work on the side of the building. Ledoux met with the contractor to discuss the situation. A re-evaluation of the abutments will be done based on the opening of the dam. Ledoux reminded the Board that the Purchase and Sale Agreement states that the Town is responsible to do certain evaluations and repairs

to the dam. Ledoux also reported that Boucher has indicated that he is six weeks ahead of schedule. Ledoux stated that the Town should be hearing from the State by July 15th on the affordability issue. Jim Arsenault, Town Engineer, stated that where the gate was removed from the dam some of the stone slab was damaged and the dam is permanently open. Arsenault was concerned with the flow and height of the water. Arsenault reported that he spoke to the Town Consultant, Earthtec, and was told that most of the damage occurred when the dam was opened. Arsenault stated that survey work of the dam will be conducted. The contractor is cooperating with the Town.

Minutes

It was moved by Healy-Coffin, seconded by Jefferies, and VOTED 4 IN FAVOR WITH 1 ABSTAINING (Loiselle), to approve the minutes of June 10, 2003.

Board Reports/Updates

Communications Advisory Committee – Silva reported that the committee will represent the Town in public hearings regarding the tier rates for Comcast. The Town has the ability to do a limited discovery.

Affordable Housing Committee – Romeo reported that the Affordable Housing Committee would be meeting on Wednesday, July 9, 2003, at 7:30 a.m., Tadmuck Senior Center. Romeo reported that the Housing Plan was awarded to Ryan Development to prepare a housing plan by December, 2003. Romeo thanked the Permanent School Building Committee, Andrea Peraner-Sweet and Norman Khumalo for their cooperation in coordinating the soil moving at the Stony Brook site.

Old/New Business

Re-use of Millennium School – Ledoux stated that the Board was concerned that discussions regarding the re-use of the Millennium School had not occurred between Ledoux and Steve Foster, the School Superintendent. Ledoux reported that he has met with Foster and they came up with the following plan:

Half of the school will be used for pre-school special education; six classrooms for School Department central offices; 4 classrooms for Town Use; the cafeteria area for a meeting room; and the nurse's office which could be used for the Board of Health.

Ledoux reported that it has not been decided who goes into Millennium School from the Town but that the four classrooms will be set aside until a decision is made. Ledoux suggested that the new Permanent Town Building Committee (PTBC) look at the space and make a recommendation. Ledoux stated that there was good cooperation with Foster and the School Committee. Romeo thanked the School Committee, Foster and Bill Olsen, Assistant School Superintendent. Ledoux also suggested that the PTBC look at the Town Farm Road site which is under the purview of the School Committee.

Fire Department – District 6 Mutual Aid – Ledoux reported that District 6 Mutual Aid has received a Homeland Security Grant in the amount of \$205,000.

Correspondence

Romeo read the list of correspondence.

Executive Session – Tresca vs. Town of Westford

The Board voted to go into executive session at 9:45 p.m. to discuss litigation with Tresca. John Gannon, Town Counsel and Andrea Peraner-Sweet, Planning Board member, were also present. A polling of the Board: Romeo-yes; Jefferies-yes; Loiselle-yes; Healy-Coffin-yes; Silva-yes. The Board to reconvene to regular session for the purpose of adjourning only.

Open Items

7/8-1 Ledoux to re-draft charge for Perm. Town Building Committee.

7/8-2 Ledoux to draft a charge for the Town Report Committee.

Adjournment

The Board reconvened to regular session at 10:27 p.m. It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to adjourn the meeting.

Steve Ledoux, Town Manager

Christopher Romeo, Chairman

Submitted by Beth Kinney, Recording Secretary